

JONES'S STORY OF HIS CONFESSION STIRS LAWYERS ALMOST TO BLOWS.

(Continued from First Page.)

he has since sworn was a false one, made to protect himself.

"It is my best recollection that I made the statement," he said.

"The statement made by you in the Tomb to Mr. Osborne before you put your throat was read over to you?"

"It was."

Mr. Moore submitted this statement in evidence, and it was marked "Exhibit 25."

When Rice Went to Sleep.

"Now, on the night of Rice's death," said Mr. Moore, "what time was it that Rice went to sleep for the last time?"

"About 5 o'clock, as nearly as I remember."

"When was it you put him to bed?"

"Just about 5 o'clock. Then I went to the Station restaurant, at Third avenue and Fifty-third street, to get my lunch. That was about 6 o'clock."

"And then you were gone from the house more than forty minutes?"

"I think about an hour."

"What time did you return to the house?"

"I think about 6 o'clock."

"What did you do?"

"I went upstairs and remained awhile."

"Then what?"

"He telephoned to Patrick."

"I telephoned to Mr. Patrick the next thing."

"What was Mr. Rice doing?"

"HE WAS ASLEEP OR DEAD. HE MAY HAVE BEEN DEAD FOR ALL I KNOW."

"You never saw him alive after you went out for your lunch?"

"I didn't. After I looked at Rice when I went downstairs I telephoned Patrick. I told Patrick I was going to send a telegram from Sixth avenue and Fifty-sixth street, and asked him to meet me there."

"What did he say?"

"He said he was eating his dinner, but he would meet me."

"What did you do when you went to meet him?"

"I waited around until I saw Mr. Patrick and then I walked across to meet him."

"What time was that?"

"About 6:45 or 7. It may have been later, but not earlier."

"Did Patrick go back to the Rice apartments with you?"

"No."

"Again," said Jones, "at 8 o'clock, I telephoned Patrick. Mr. Rice was very ill, and I also phoned Dr. Curry."

"What was said by you to Patrick when you met him on Fifty-sixth street?"

"I asked him if he would do what he said he would, and he said he could not, as he had a wife and family. He said I would have to do it."

"Do what?"

"Tells of the Murder."

"WHY, MURDER MR. RICE," responded Jones calmly.

"Well, what else?"

"HE TOLD ME TO SATURATE A HANDKERCHIEF WITH CHLOROFORM AND PLACE IT OVER THE OLD MAN'S FACE, LEAVING IT THERE TWENTY OR THIRTY MINUTES."

"AND DID YOU?"

"I DID."

"Were Rice's eyes open when you approached him with that instrument of death in your hands?"

"I don't know."

"And you think it was twenty minutes after when you telephoned Patrick?"

"Probably thirty minutes."

"How long was it after you had placed the chloroform on Rice's face?"

"About twenty minutes."

"What did you do when you took the towel off Rice's face?"

"I burned it."

"Heard Mr. Rice Laugh."

"Then, when you were committing murder, don't you know what took place?"

"I cannot say I heard anything. I MAY HAVE HEARD MR. RICE LAUGH, BUT IT WAS ONLY AN IMPRESSION."

"How soon after Mr. Rice was chloroformed did Dr. Curry and Patrick reach the flat?"

"About three-quarters of an hour."

"When they got there, what did you tell Dr. Curry?"

"Told him Mr. Rice was dead."

"When did the undertaker get there?"

"About 11 o'clock. It was probably two hours after the doctor came. Dr. Curry was still in the house."

"How long before the embalming began?"

"About thirty minutes after the undertaker came."

"Was Patrick in the house then?"

"After the undertaker left he took charge of the papers."

"Yes."

"What did he do with them?"

"Took them away."

"What were they?"

"Patrick Took the Will."

"I don't know. All he left were some check books. What he took were, I think, notes, deeds and bonds. I know he took the Rice will of '96."

"I thought you said I didn't know what he took?"

"That was a mistake. I made a list before he carried them away."

"Where is that list?"

"Police Have the List."

"I presume the police have it."

"When did you next see Patrick?"

"Monday morning at 8 o'clock at the apartments."

"The testimony brought out in the direct examination was gone over at length without bringing out any contradictions from the witness."

Mr. Moore asked about Patrick's stopping the cremation until Capt. Baker and Mr. Rice could arrive on Thursday.

Patrick Delayed Cremation.

Valet Jones said that Patrick did delay the funeral and the cremation.

"At that time did the police have charge of the body?"

Jones said four policemen came in and asked him about the four checks presented at the bank for payment that day.

He concluded the cross-examination.

District Attorney Osborne

JONES'S STORY OF PATRICK'S ADMISSION.

"I told the story of the murder to Mr. House. Patrick was there. Mr. House asked us if Rice was murdered. I first told him he was not. Then Patrick and House conferred, and after this Patrick told me I should tell the story, but said I must not connect him with it. I told him I must tell the truth."

"I told him I gave Rice mercury and chloroform. How I got both, and told him how I gave him the oxide acid Patrick gave me."

Mr. House said it wouldn't do for Patrick to tell all on me, as it would show the face."

"Did Patrick object?"

"I don't think he did. HE SAID THAT THE CHECKS FROM TEXAS WERE DUE, AND THAT WAS WHY WE PUT HIM OUT OF THE WAY."

VALET JONES'S testimony to day.

asked Jones what took place between himself and Attorney House when the latter was acting as his attorney.

Attorney Moore vigorously objected to this. He said it could not be done without the consent of Patrick.

The Court approved the question.

"To whom did you first tell the story of your giving the chloroform to Rice?"

"The question."

Told Murder to House.

"I told it to Mr. House. Patrick was there. Mr. House asked us if Rice was murdered. I first told him he was not. Then Patrick and House conferred, and after this Patrick told me I should tell the story, but said I must not connect him with it. I told him I must tell the truth."

"Did you tell him what you did here?"

"Did Mr. Osborne."

"I did. I told him I gave him mercury and chloroform. How I got both, and told him how I gave him the oxide acid Patrick gave me. Mr. House said it wouldn't do for Patrick to tell all on me, as it would show on his face."

"Did Patrick object?"

"I don't think he did. HE SAID THAT THE CHECKS FROM TEXAS WERE DUE, AND THAT WAS WHY WE PUT HIM OUT OF THE WAY."

Patrick Osborne then brought out the fact that this statement to Mr. House was made before he had talked with Jones.

"When you and Patrick used to telephone each other did you use your own names?"

"I did, but Patrick used the names of 'Short' and 'Curly'."

"Had you talked with Capt. Baker before you talked with Mr. House?"

"I did. I talked with him on Thursday. I did not tell him the story."

"HELLO" GIRLS AS WITNESSES.

Testify About Messages Between Jones and Lawyer Patrick.

When the examination was resumed after recess, Miss Eileen Sherer, a telephone girl, was called to the stand. She said that she worked for the telephone company at the Thirty-eighth street central station.

Assistant District Attorney Osborne asked her to describe the system of the exchange, and the witness told how slips were made and the usual procedure in answering calls.

Miss Sherer said that she was on duty at her station on Sept. 2, the day that Rice died.

She told how she made out the particular slip which showed that Valet Jones called up Patrick on Sept. 25, between 6 and 7 o'clock in the evening. This slip showed that Telephone 699 Thirty-eighth called up Telephone 1344 Columbus. On that slip was the letter K.

"What does that stand for?" asked Mr. Osborne.

"Columbus," responded the witness, while even Patrick laughed.

Telephone Slip Evidence.

The defense objected to the admission of the telephone slip as evidence, but Justice Jerome ruled that it was evidence of a transaction and was admissible in fact.

On cross-examination Miss Sherer was asked particularly about the marks on the memorandum, but she was certain that she had made no mistake in making out the slip.

As the cross-examination proceeded the witness became confused and did not know what the slip could not have been made out by some one else.

Miss Nellie J. Mollet, another telephone girl, said that she worked at the Thirty-eighth street station and was on duty there on Sept. 2 last.

She had no recollection of the telephone conversation and made that day, but she identified People's Exhibit No. 27 as a telephone slip made out by her.

The time of the call was between 6 and 9 o'clock in the evening. The call was from Rice's telephone to the one in Patrick's house.

The object of this testimony was to corroborate the testimony of Jones that he had called up Patrick twice on the evening of Rice's death.

DRIVER TELLS OF TEXAS PACKAGE.

Paddel Identifies Slip of Delivery to Valet Jones.

Joseph L. Paddel, of 1991 Second avenue, said he was a driver for the American Express Company. He said he made out all the delivery sheets for the company.

He was handed a sheet dated Aug. 3, 1900, and identified an entry showing that a box coming from Galveston, Tex., had

been delivered to Charles F. Jones at No. 200 Madison avenue that day.

This partly corroborates Jones's statement that he sent to Texas for poison with which to kill the old man.

Paddel said the box weighed about two pounds.

George F. Schmitt, of No. 237 East Eighty-ninth street, also a driver for the express company, said he had delivered to Jones a package from Galveston on Sept. 1.

OSBORNE ALMOST HAD A FIGHT.

Accused by Lawyer Moore of Unprofessional Conduct—Men Were Separated.

During recess in the Rice murder case today, Assistant District Attorney Osborne and Mr. Moore, cross-examiner for the defense, had a heated argument and almost came to blows. Both men were greatly excited and a crowd of two hundred persons gathered about them, momentarily expecting violence.

Moore accused Osborne of unprofessional conduct in having Jones tell of his conversation with Lawyer House, his first counsel.

"We don't do such nasty things as that," Osborne shouted at Moore.

"We're not trying this case up-State," retorted Osborne, very white in the face, "and I don't allow any man to talk that way to me."

"I'm talking that way to you," said Moore, walking to within a foot of Osborne and glaring at him.

"I won't lower my dignity or that of my office by striking a braggart," said Osborne, starting to walk away.

"I wish you would," answered Moore, with an oath.

They indulged in more fierce talk before they were separated, much to the disappointment of the crowd, who had looked on with interest for a violation of the anti-boxing law.

FALSE CHECK IS IDENTIFIED.

Teller of Bankers Swenson Tells of Short Calling on Him.

John H. Wallace, a paying teller for Swenson & Co. bankers, said that Sept. 21 last he saw David L. Short at his place of business.

Shown the check for \$2,000 made out in the name of Albert T. Patrick he said that the check was presented for certification by Short, whom he identified in the courtroom.

He said that after looking at the check he took it to Mr. Weatherly, who compared it with standard vouchers of Mr. Rice's signatures.

Then after that he took the check to Short and called his attention to the mistake in the spelling of Patrick's first name.

On cross-examination Mr. Moore brought a reluctant admission that both of the so-called forged checks had been once accepted as genuine before suspensions were issued.

U. S. SAILOR ARRESTED.

Madden Got a Fractured Skull on the Bowery in a Row.

Robert Madden, a sailor on the United States ship Pacific, was arrested this afternoon following a row on the Bowery, after which a longshoreman named Thomas Madden was found with a fractured skull in front of the saloon at No. 9 Bowery.

Barton says he only shoved the man, and bystanders said he fractured his skull by falling against an iron pillar.

Glard Strauberg, twenty-five years old, of No. 100 East Ninety-third street, was also arrested. He declared his arrest was an "outrage."

"JOHN DOE" CASE ARGUED.

Frederman Reserves Decision in Matter of Warrant's Legality.

Justice Frederman reserved decision this afternoon in the case of Max Joseph, arrested on a warrant issued by Justice Jerome in a raid upon the New York Cafe in Second avenue. The warrant called for the arrest of "John Doe," a name taken from a list of names in the raid.

Joseph's lawyer, Gustavus A. Rogers, argued that such arrests were in violation of the United States Constitution. Assistant District Attorney Gans, for Justice Jerome, argued that the laws of the State authorized a hearing, but not arrest without a judicial name.

CUBAN RADICALS GAIN.

Platt Amendment Reported in Danger, but Washington Lacks News.

WASHINGTON, April 9.—When the cabinet meeting adjourned today it was stated that nothing had been received from Gen. Wood confirming a report from Havana that the Platt amendment was in danger of being rejected by the Cuban Constitutional convention.

It is reported that a canvass of the members of the convention shows that a large majority of its members declare that they are unalterably opposed to the terms of the amendment. Strong support from the ranks of the Conservative element is now coming over in favor of the position taken by the Radicals.

The Book-Buyer's Mecca.

In John Wankmeyer's busy book store there is one spot which is about the busiest of all—the counter where popular novels and novels are sold for a quarter a copy. Here is offered one new volume each week, and the enterprise is the property of the International Association of Newspaper and Authors. First came Paul Leicester Ford's "Great K. &. A. Train Robbery," next, Max Pemberton's "A Partisan Wife," and then Gertrude Atherton's "The American Wives and English Husbands." Each of these books has had a large sale and is now being sold at a discount. The moving cause is the good quality of the volumes themselves and the little price—only twenty-five cents a copy, one and all. This is but a fraction of the publisher's regular figure, which fact is keenly appreciated by book-buyers. All of the above novels are now on sale, and George W. Cable's "Bonaventure" is this week's special offering. Full particulars regarding this unusual distribution may be found in an announcement over the Wankmeyer name on page 7 of to-day's Evening World.

VALET JONES READING ONE OF HIS CONFESSIONS.



CASTE IN THE SEWER BEDS.

Why "Patsy" Christmas's Men Have Struck at Plainfield, N. J.

Because "Patsy" Christmas did not like to see his men working in the gutters of the Plainfield (N. J.) sewerage disposal plant there is a strike among the laborers there, and work has been delayed.

Christmas is an Italian contractor. He supplied Gleason, Kelly & Co. of Syracuse, the contractors, with sewerage disposal plant there, and work has been delayed.

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PHYSICIAN OF "400" COMMITS SUICIDE.

(Continued from First Page.)

he replied, "Will you please send a messenger to the Morrisania police station and identify the body."

Mrs. Guernsey said that the doctor was at home to dinner and had left the house at 5 o'clock last evening.

She supposed he had gone out on a professional visit.

How Dr. Guernsey came to the place where he was found dead is a puzzle. A more handsome man could not be selected. River avenue runs along near Cromwell's Creek, a tributary to the Harlem River.

A Lonely Spot.

From the street to the creek the land slopes and it is used for market gardening purposes. A man looking from the street to the creek can see everything in the lot. There are no houses near the spot. There are no trees. The place is barren of any ornament and there is no fence about the lot. About four city blocks away is Huber's Hotel and between it and the lot is a vacant house. The body was found about 20 feet from the street.

Identifies His Neighbors.

Dr. Guernsey's home is a magnificent rectory, brownstone mansion. The Belmonts, Sloanes, Farnsworths and Schuylers are among his immediate neighbors.

When an Evening World reporter reached the house the doctor's carriage, with coachman and footman on the box, stood in front.

The coachman told the reporter that he had been ordered by Dr. Guernsey, last night to be there at 9 o'clock this forenoon. He did not know that the doctor was lying dead in a faraway police station, killed by poison.

A liveried butler answered the reporter's ring at the doorbell.

Word Just Received.

"We only know from a telephone message that Dr. Guernsey has met with an accident," the butler said. "Mrs. Guernsey cannot be seen."

"The doctor has been out all night," the reporter told the butler that Dr. Guernsey had committed suicide by poison had died miserably in a vacant lot, five miles from his home.

"I cannot understand it," the butler replied. "Dr. Guernsey was rich, with a very large practice, and I have never known him to be unhappy."

"HE WAS ABOUT FIFTY YEARS OLD AND HIS WIFE IS ONE OF THE MOST BEAUTIFUL AND CHARMING WOMEN I HAVE EVER SEEN."

The butler said she was one of Dr. Guernsey's patients.

Just then another carriage drew up in front of the doctor's house. A richly-gowned woman stepped out and accompanied the steps.

Announced at News.

The butler informed her of the tragedy.

She swooned and would have fallen had not the reporter supported her.

As soon as she revived she reentered her carriage and was driven away.

The butler said she was one of Dr. Guernsey's patients.